

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525
MINUTES
VILLAGE OF INDIAN HEAD PARK
PLANNING AND ZONING COMMISSION
PUBLIC HEARING**

"Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken."

Tuesday, February 3, 2015

7:30 P.M.

CALL TO ORDER – CHAIRMAN DENNIS SCHERMERHORN

The Village of Indian Head Park Planning and Zoning Commission held a Public Hearing on Tuesday, February 3, 2015, at the Municipal Facility, 201 Acacia Drive, to review Zoning Petition #184 and #185.

Petition #184 was submitted by Mike and Linn Meyer for approval of a rear yard variance at 6449 Blackhawk Trail.

Zoning Petition #185 was submitted by the Village Board of Indian Head Park for review of the Text Amendments proposed to Title 17 Zoning Ordinance of the Indian Head Park Municipal Code. The meeting was convened at 7:30 p.m. by Chairman Dennis Schermerhorn.

ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):

Chairman Dennis Schermerhorn
Commissioner Timothy Kyzivat
Commissioner Earl O'Malley

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Commissioner Robert Tantillo
Commissioner Diane Andrews
Commissioner Jack Yelnick

ABSENT:

Commissioner Noreen Costelloe

ALSO IN ATTENDANCE:

Village Trustee Amy Jo Wittenberg
Village Trustee Tom Hinshaw

PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Dennis Schermerhorn and the Planning and Zoning Commission members recited the Pledge of Allegiance to the Flag as follows: ***"I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all"***.

ZONING AGENDA ITEM: (discussion and a possible vote may take place)

1). Zoning Petition #184 – A Public Hearing to consider a Petition for a Rear Yard Variance to allow for the construction of a new single family residence at 6449 Blackhawk Trail.

Chairman Schermerhorn began by noting that the first item on the agenda is Petition #184, to consider a Rear Yard Variance for a lot located at 6449 Blackhawk Trail, which has been vacant for some time. In August, a variance was granted to the front yard for a setback of 10 feet but now the rear yard setback is in question. He stated that the discussion tonight would address a variance for a rear yard setback. Chairman Schermerhorn swore in Mike and Linn Meyer, owners of the lot, prior to speaking upon the issue.

Mr. Meyer began by saying the original plat drawing rear set back was shown as 40 feet. He stated there was no mention of a 40% requirement at any

meetings he had with the architects, Dennis Schermerhorn, or the site plan engineers at that time. Mr. Meyer noted that after receiving notification of the 40 percent requirement, he had the plans redrawn and resubmitted, asking for an eight foot variance.

Chairman Schermerhorn asked Mr. Meyer if it is possible to switch the screened porch with the patio, to minimize the incursion to the rear set back, and Mr. Meyer explained that it is not possible because of the kitchen floor layout and door.

Commissioner Andrews asked Mr. and Mrs. Meyer if the plans submitted to the Commission have the original placement of the house, which the Commission previously approved. Mr. Meyer stated the plans have not changed but have been flipped. Commissioner Andrews confirmed that the Commission needs only to consider a variance for the rear yard and that the front yard variance will remain in effect as is.

Chairman Schermerhorn added that this variance, if granted, will be for the sole purpose of a screened in porch.

Mr. Meyer provided more details on the porch; floor elevation will be the same level as the living space, the porch will be made of wood, have a roof, and be entirely screened in. Mr. Meyer also stated that the design will have no visible barring to their neighbors, as there are garages on both sides of the lot. Commissioner Kyzivat concluded that it appears the house had to be flipped due to the grade of the driveway which, on the original plans would make it hard to utilize the driveway in bad weather.

Chairman Schermerhorn and the Commission went through the Findings of Fact in regard to Petition#184. All were in agreement.

QUESTIONS AND OR COMMENTS FROM THE AUDIENCE:

Mr. Furey, from Thunderbird, stated he lives behind this lot and asked for a clarification on the set back; Mr. Meyer stated the setback will be about 8 feet further into their yard and will be the same height as the rest of the structure.

Trustee Tom Hinshaw, from 6575 Shebona Road, also asked for clarification about the set back. Chairman Schermerhorn clarified that the setback is 40% of the average depth of the property. Mr. Hinshaw asked if the corner of the porch roof would over hang the wall; Commissioner Tantillo clarified the roof would overhang roughly about two feet.

With no further questions, a discussion ensued between the Planning and Zoning Commission. The Commissioners reviewed the facts in order to determine if they would make a recommendation to the Village Board of Trustees to consider a Rear Yard Variance for the construction of a new single-family residence at 6449 Blackhawk Trail.

Chairman Schermerhorn entertained a Motion to recommend an approval for a Variance for Petition #184 to the Village Board of Trustees. The recommendation is for the allowance of a rear yard encroachment of approximately 8 feet for the sole purpose of a screened in porch. Moved by Commissioner O'Malley, seconded by Commissioner Andrews. Motion carried by roll call vote (5-0-1).

Chairman Schermerhorn thanked the petitioners Mr. and Mrs. Meyer for their time.

2). Zoning Petition #185 – A Public Hearing to consider certain Text Amendments to Title 17 of the Village of Indian Head Park Municipal Code.

Chairman Schermerhorn noted that the second item on the agenda is Petition #185, a Petition to consider certain Text Amendments to Title 17 of the Village of Indian Head Park Municipal Code, brought to the Commission by the Village. Chairman Schermerhorn explained that the Commission made

text changes to Title 17 to include updates and modernize the Ordinance; the Commission presented these changes before the Village Board of Trustees. A public hearing on the text changes is required before the Village Board reviews and passes any changes to an Ordinance.

Chairman Schermerhorn introduced Village Board Trustee, Amy Jo Wittenberg, whom on behalf of Mayor Andrews representing the Village Board of Trustees, asked the audience and the Commission to review the modifications proposed to Title 17.

Chairman Schermerhorn reviewed some of the proposed modifications to Title 17 as follows: A couple of broad modifications; replace references to "Zoning Board of Appeals Commission", and "Planning Commission" to "Planning and Zoning Commission"; When referencing the village with intent to mean Indian Head Park, capitalize "Village"; Insert a phrase to wit: "Board" as used herein means the Board of Trustees of Indian Head Park; "Commission" means the Planning and Zoning Commission of Indian Head Park; Changes to the definition of "buildable area," (17.08.080); Changes to how building height is measured, (17.08.130); Clarification to the definition and allowances of a "fence," (17.08.310)(17.12.120); Modifications to Chapter 17.24 Administration; Changes to acceptable building height, (17.36.060); Modification to building width, (17.36.070); Changes to ground floor area per dwelling, (17.36.080); Addition to side yards for single family dwelling uses, (17.36.100); Changes to rear yard specifications, (17.36.110) and (17.36.130).

See attached Title 17 Zoning Ordinance suggested modifications.

QUESTIONS AND OR COMMENTS FROM THE AUDIENCE:

There were no questions or comments from the audience pertaining to the modifications of Title 17.

With no further questions, Chairman Schermerhorn entertained a Motion to present these Modifications of the Title 17 Zoning Ordinance to the Village

Board of Trustees for approval. Moved by Commissioner Yelnick, seconded by Commissioner Andrews. Motion carried by voice vote (5-0-1).

Chairman Schermerhorn opened the floor for any general questions at this time. Mohansen Javadi of 6533 Blackhawk Trail stated that he has a pending petition with the Village for his properties 6540 and 6548 Blackhawk Trail. He asked if his plans will be discussed at the next meeting and if they will be held to the statutes that were in place when he originally filed his plans. Chairman Schermerhorn stated he is unsure if the modifications will affect Mr. Javadi's plans, and that it would have to be confirmed with the Village attorney.

APPROVAL OF BOARD MINUTES:

Minutes of the Planning and Zoning Public Hearing Meeting-December 2, 2014

Commissioner Kyzivat noted a spelling error on page one, *perspective buyer*, should be *prospective buyer*.

Commissioner Andrews noted on page four, *The Commissioners*, should read *the Commissioners*.

After review of the Planning and Zoning minutes, Commissioner Kyzivat moved, seconded by Commissioner Yelnick, to approve the December 2, 2014 Planning and Zoning Public Hearing meeting minutes as amended. Motion carried by voice vote (5-0-1).

ADJOURNMENT

There being no further business to discuss, Commissioner Tantillo moved, seconded by Commissioner Andrews, to adjourn the Planning and Zoning Commission Public Hearing Continuance meeting at 8:23 pm. Motion carried by voice vote. (5-0-1).

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Minutes prepared and submitted by,
Erica Stewart

Recording Secretary,
Planning and Zoning Commission